



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday September 7, 2021, 3:30 p.m.

Conducted by Electronic/Telephonic Means

Official Recording of Meeting will be available on
City Council's Website

https://www.memphistn.gov/government/city_council

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Chief of Staff of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (August 17, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing Jessica Ramsey for her participation in the Tokyo 2020 Olympic Games. All Council Districts. This resolution is sponsored by Councilman Jones.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION honoring and congratulating Mr. John Patrick Thornton for his record of athletic achievements within the world of professional golf. All Council Districts. This resolution is sponsored by Vice Chairwoman Swearengen.

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

3.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit at the subject property located at 3521 Lamar Avenue. This resolution is sponsored by the Division of Planning and Development. (Held from 8/3; 8/17)

Case No. SUP 21-12

Applicant: Aman Devji
Neeraj Kumar – Representative

Request: To upgrade an existing gas station that does not lie at the intersection of two collectors, one collector, and one arterial street or two arterials.

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

4.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit for a planned commercial development at 2977 Broad Ave. This resolution is sponsored by the Division of Planning and Development. (Held from 8/3; 8/17)

Case No. PD 21-15

Applicant: MVS Real Estate Mid Town, LLC
John Behnke – Representative

Request: Special use permit for a planned commercial development

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving the Vada Planned Development located at the east side of Charles Bryan Road and north of Elmore Road. This resolution is sponsored by the Division of Planning and Development. (Held from 8/17)

Case No. PD 21-22

Applicant: Ernest S. & Catherine L. Long/Eddie Kircher Construction
W.H. Porter Consultants, PLLC – Representative

Request: Planned development to allow twenty-three (23) lots for construction of new side yard houses

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

6.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving the East End Village Planned Development at the subject property located at 5476, 5486, and 5502 Park Avenue. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-19

Applicant: MRG, LLC/ Elzey Partners, LLC
Cindy Reaves, SR Consulting – Representative

Request: 16-lot residential single-family planned development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

7.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving the Caroline Cove Planned Development at the subject property located at 131 Marne Road. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-26

Applicant: Shepherd Construction Co Inc/James Shepherd
Jennifer Williams – Representative

Request: Three-lot residential single-family planned development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

8. **ORDINANCE** to amend the Unified Development Code to Create a Well Head Overlay Protection District for the City of Memphis, up for S E C O N D reading. All Council Districts. Ordinance No. 5795 is sponsored by Councilmen Ford, Smiley, and Colvett.

Colvett,
Chairman
Executive
Session

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

9. **RESOLUTION** accepting final plat entitled CALLIS CUTOFF PHASE 6 (PD 16-08) and authorizing release of the Cash Bond in the amount of \$143,700.00.

(Contract No. CR-5259)

Resolution accepts the final plat and public improvements located east of Tournament Drive, 2600 linear feet east of South Germantown Road in the City of Memphis. Resolution also authorizes the release of the Cash Bond in the amount of \$143,700.00.

ACTION REQUESTED: Adopt the resolution

10. **RESOLUTION** approving the engineering plans entitled HOLMES/AIRWAYS [ASPR] (FRITO LAY) AIRWAYS BLVD PARCEL 09440000161. **(Request for same night minutes)**

Contract No. CR-5378

Resolution approves the public improvement plans located on the east side of Airways Blvd, 1048 linear feet from Holmes Road in the City of Memphis. Cost of required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept XL Specialty Insurance Company Performance Bond No. US00104965SU21A in the amount of \$108,900.00.

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving the engineering plans entitled PRINCETON HEIGHTS, LLC.

Contract No. CR-5379

Resolution approves the final plat located at 5030 Princeton Road in the City of Memphis. Cost of required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Performance Bond No. SU1174967 from ARCH Insurance Company in the amount of \$129,800.00.

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION approving the engineering plans entitled PHASE 1 – HIGHLAND STREETSCAPES.

Contract No. CR-5380

Resolution approves the final plat located on South Highland Street in the City of Memphis. Cost of required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Performance Bond No. 107491322 from Traveler Casualty and Surety Company of America in the amount of \$975,900.00.

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving the engineering plans entitled NORTH FRONT STREET INFRASTRUCTURE IMPROVEMENTS.

Contract No. CR-5381

Resolution approves the public improvement plans located at North Front Street between Henry Avenue and Keel Street in the City of Memphis, Tennessee. Cost of required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Fidelity and Deposit Company of Maryland Performance Bond No. 9322945 in amount of \$2,159,250.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS

(None)



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FISCAL CONSENT AGENDA

14. RESOLUTION seeking acceptance of funds from the State of Tennessee in the amount of (\$1,515,200.00) specifically for the In-Service Training Program for training of 1,894 Commissioned Officers. Project #PD90248. This resolution is sponsored by Police Services. All Council Districts. **(Request for same night minutes)**
15. RESOLUTION to accept reimbursement Memphis Police Emergency Communications 9-1-1 Bureau will be reimbursed the amount of (\$2,200,000.00) from Shelby County 9-1-1 Emergency Communications District Board of Directors. This resolution is sponsored by Police Services. All Council Districts. **(Request for same night minutes)**
16. RESOLUTION to accept additional grant funds in the amount of (\$469,319.00) from the Tennessee Department of Transportation. Amendment number 2 to provide additional construction funding for the STP Group 6 Resurfacing, Project #PW01264. This resolution is sponsored by Public Works Division. Council Districts 3, 4, 5, Super District 8 and 9. **(Request for same night minutes)**
17. RESOLUTION to accept reimbursement funding in the amount of (\$79,968.87) from the US Department of Homeland Security for Champlain Towers Collapse. This resolution is sponsored by Fire Services. All Council Districts. **(Request for same nights minutes)**



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MLGW FISCAL CONSENT

18. RESOLUTION awarding Contract No. 12297, VMWare 3-Year Enterprise License Agreement to Thomas Gallaway Corporation dba Technologent in the funded amount of \$3,095,009.08.
19. RESOLUTION awarding Purchase Order to Global Power Component for prefabricated steel modular equipment enclosure in the amount of \$433,816.00.
20. RESOLUTION approving Change No. 2 to Contract No. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC, in the funded amount of \$27,524.76. (This change is to ratify and renew maintenance and support services for the period covering August 1, 2021 through July 31, 2022, with a 2.5% increase in rates from the previous term.) MLGW is requesting continuous maintenance, which can only be performed by DNV-GL Noble Denton USA, LLC
21. RESOLUTION awarding Contract No. 12314, Broker of Record for Cyber Insurance and Other Insurance Coverages to Willis Towers Watson Southeast, Incorporated in the funded amount of \$118,500.00.
22. RESOLUTION awarding Contract No. 12158, Self-Insured Healthcare to Cigna, in the estimated funded amount of \$95,918,005.00.
23. RESOLUTION approving Change No. 1 to Contract No. 12218, Power Supply Consultant Solicitation with GDS Associates, Inc., in the funded amount of \$50,000.00. (This change is to update the scope to provide consulting services required for MLGW to solicit requests for proposals for the procurement of electric capacity, energy, transmission, renewable energy (e.g. solar and wind) ancillary services and to assist MLGW in the evaluation of responses to portfolios identified in the Integrated Resource Plan (IRP) and feasible alternatives.)



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REGULAR AGENDA

APPOINTMENTS

24.

Carlisle
Chairman,
Personnel &
Governmental
Affairs
Committee

BLIGHT AUTHORITY OF MEMPHIS

Appointment

Evan G. Collins

MEMPHIS AND SHELBY COUNTY DOWNTOWN PARKING AUTHORITY

Appointment

Elliot Embry

GENERAL ORDINANCE THIRD AND FINAL READING

25.

Colvett
Chairman,
Executive
Session

ORDINANCE adopting and enacting a New Code of Ordinances of the City of Memphis, Tennessee; Providing for the repeal of certain Ordinances not included therein; providing for the manner of amending such Code; and providing when such Code and this Ordinance shall become effective, up for T H I R D and F I N A L reading. Ordinance No. 5769 is sponsored by Councilwoman Robinson. (Held from 1/26; 2/2; 2/16; 5/18; 6/1; 6/15; 7/6; 7/20; 8/3; 8/17)

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

26.

RESOLUTION appropriating \$88,000.00 in G.O. Bonds for Project #FS04012, Personal

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

Protective Equipment- Self Contained Breathing Apparatus. All Council Districts. This resolution is sponsored by Fire Services.

ACTION REQUESTED: Take whatever action Council deems advisable

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

27.
Johnson
Chairman,
Housing &
Community
Development
Committee

RESOLUTION authorizing the amendment of the FY2022 Operating Budget by accepting the appropriation and allocation of Conference Sponsorships, Donations and the Registration and Exhibit Fees for the 2021, A Taste of Memphis at The Liberty Bowl in the amount of approximately (\$20,000.00) and the submission of all required documents to collect, obligate and expend conference revenue. All Council Districts. This resolution is sponsored by the Division of Housing and Development.

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT